

5368-US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09 / 582950

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.  
PCT/US99/00419INTERNATIONAL FILING DATE  
08 January 1999PRIORITY DATE CLAIMED  
09 January 1998**TITLE OF INVENTION**

SYNTHESIS OF COMBRETASTATIN A-4 PRODRUGS AND TRANS-ISOMERS THEREOF

APPLICANT(S) FOR DO/EO/US  
G.R. PETTIT et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4.  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  has been transmitted by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  have been transmitted by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern document(s) or information included:**

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A **FIRST** preliminary amendment.
  A **SECOND** or **SUBSEQUENT** preliminary amendment.
14.  A substitute specification.
15.  A change of power of attorney and/or address letter.
16.  Other items or information: Copies of Verified Statement Claiming Small Entity Status - Independent Inventor as originally filed with US Provisional Application No. 60/071,070 filed January 9, 1998 Certificate of Express Mail

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

09/58295

INTERNATIONAL APPLICATION NO.  
PCT/US99/00419ATTORNEY'S DOCKET NUMBER  
5368-US

CALCULATIONS PTO USE ONLY

17.  The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5) ) :**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$840.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$670.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$ 96.00

Surcharge of \$130.00 for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

| CLAIMS                                      | NUMBER FILED | NUMBER EXTRA | RATE       |      |
|---|--------------|--------------|------------|------|
| Total claims                                | 10 - 20 =    | 0            | X \$18.00  | \$ 0 |
| Independent claims                          | 3 - 3 =      | 0            | X \$78.00  | \$ 0 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) |              |              | + \$260.00 | \$   |

**TOTAL OF ABOVE CALCULATIONS =**

\$ 96.00

Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$ 48.00

**SUBTOTAL =**

\$ 48.00

Processing fee of \$130.00 for furnishing the English translation later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(f)).

+

**TOTAL NATIONAL FEE =**

\$ 48.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+

**TOTAL FEES ENCLOSED =**

\$ 48.00

|                        |    |
|------------------------|----|
| Amount to be refunded: | \$ |
| charged:               | \$ |

a.  A check in the amount of \$ 48.00 to cover the above fees is enclosed.

b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-5100. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Richard R. Mybeck  
8010 East Morgan Trail, Suite 10  
Scottsdale, Arizona 85258-1234  
480.483.1285

g,

SIGNATURE:

Richard R. Mybeck

NAME

17,886

REGISTRATION NUMBER

09 / 582950

Date: July 7, 2000

Attorney Docket No. 5368-US

## CERTIFICATION UNDER 37 C.F.R. §1.10

EL535208336US

"Express Mail" number

July 7, 2000

Date of Deposit

I hereby certify that this Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, Copy of Verified Statement Claiming Small Entity Status – Independent Inventor, Declaration and Check (no. 3269 \$48.00), is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box PCT Application, Assistant Commissioner of Patents, Washington, D.C. 20231.

  
Richard R. Mybeck  
Reg. No. 17,886